

PROB 12B
(7/93)

United States District Court

for

District of New Jersey

Request for Modifying the Conditions or Term of Supervision with Consent of the Offender

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Jose Romero

Cr.: 04-00285-001
PACTS Number: 36041

Name of Sentencing Judicial Officer: Faith S. Hochberg, USDJ

Date of Original Sentence: 10/23/06

Original Offense: Conspiracy to Distribute and Possess With Intent to Distribute Cocaine

Original Sentence: 120 months imprisonment, 3 years supervised release

Type of Supervision: Supervised Release

Date Supervision Commences: 11/17/10

PETITIONING THE COURT

[] To extend the term of supervision for _____ Years, for a total term of _____ Years.
[X] To modify the conditions of supervision as follows. The addition of the following special condition(s):

The offender shall participate in an outpatient substance abuse treatment and counseling program that includes urinalysis, saliva, breathalyzer, and /or sweat patch testing, as directed by the Probation Officer. The offender shall abstain from using illicit drugs, alcohol, and abusing prescription medications during the period of supervision.

If deemed necessary by the Probation Officer, the offender shall reside at and participate in a residential treatment program for the treatment of narcotic addiction or drug dependence, which may include counseling and testing, until discharged from the program by the service provider with the approval of the Probation Officer.

The offender shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, not to exceed 8 tests per month, as directed by the Probation Officer, pursuant to 18 U.S.C. § 3563(a)(5).

As directed by the Probation Officer, the offender shall pay all or part of the costs of treating his drug/alcohol dependency to the aftercare contractor during the period of community supervision, pursuant to 18 U.S.C. § 3672. The offender shall provide payment and proof of payment as directed by the Probation Officer.

The offender shall not engage in any alcoholic consumption, shall not possess nor store within his place or residence, or vehicle, any alcoholic beverage, and shall not associate or be in the immediate area of persons consuming alcohol.

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Jose Romero

The offender shall not engage in any activities or enter any establishment where alcohol is the major source of business.

The offender shall submit to a blood alcohol test upon request by any peace officer.

The offender shall not drive a motor vehicle with any measureable amount of alcohol in his bodily system.

The offender shall not operate a motorized vehicle without a valid driver's license.

The offender shall submit person and property to search or seizure at any time of the day or night by any law enforcement officer with or without a warrant and with or without reasonable or probably cause.

CAUSE

On November 17, 2010, Romero will be released from custody. His case manager at Federal Correctional Complex, Lompoc, California, reported that Romero is seeking relocation from the District of New Jersey to the Central District of California (CD/CA). However, CD/CA will only accept supervision of his case if the conditions of his supervision are modified as indicated in the attached Probation Form 49, *Waiver of Hearing to Modify Conditions of Probation or Extend Term of Supervision*. The presentence report states that Romero has an extensive history of abusing crack cocaine; the addition of the special conditions will facilitate adequate supervision of the offender when he is released to the community.

Respectfully submitted,

By: Denise Morales
U.S. Probation Officer
Date: 10/16/09

THE COURT ORDERS:

- The Modification of Conditions as Noted Above
- The Extension of Supervision as Noted Above
- No Action
- Other


Signature of Judicial Officer

11/14/09
Date

PROB 49
(3/89)

United States District Court

District of New Jersey

Waiver of Hearing to Modify Conditions of Probation or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made to my Conditions of Probation. By assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the Court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation:

1. Mr. Romero shall participate in an outpatient substance abuse treatment and counseling program that includes urinalysis, saliva, breathalyzer, and/or sweat patch testing, as directed by the Probation Officer. The offender shall abstain from using illicit drugs, alcohol, and abusing prescription medications during the period of supervision.
2. If deemed necessary by the Probation Officer, Ms. Romero shall reside at and participate in a residential treatment program for the treatment of narcotic addiction or drug dependency, which may include counseling and testing, until discharged from the program by the service provider with the approval of the Probation Officer.
3. The offender shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, not to exceed 8 tests per month, as directed by the Probation Officer, pursuant to 18 USC 3563(a)(5).
4. As directed by the Probation Officer, the offender shall pay all or part of the costs of treating her drug/alcohol dependency to the aftercare contractor during the period of community supervision, pursuant to 18 U.S.C. § 3672. The offender shall provide payment and proof of payment as directed by the Probation Officer;
4. Mr. Romero shall not engage in any alcoholic consumption, shall not possess nor store within his place or residence, or vehicle, any alcoholic beverage, and shall not associate or be in the immediate area of persons consuming alcohol.
5. Mr. Romero shall not engage in any activities or enter any establishment where alcohol is the major source of business.
6. Mr. Romero shall submit to a blood alcohol test upon request by any peace officer.

7. Mr. Romero shall not drive a motor vehicle with any measurable amount of alcohol in his bodily system.
8. Mr. Romero shall not operate a motorized vehicle without a valid driver's license.
5. The offender shall submit person and property to search or seizure at any time of the day or night by any law enforcement officer with or without a warrant and with or without reasonable or probable cause.

Witness


U. S. Probation Officer

Signed


Probationer

8-21-09

Date